

Patent Application

Attorney Docket No. DEM1P010

3629  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In the Patent Application of: Delurgio et al.

Attorney Docket No.: DEM1P010

Application No.: 10/092,361

Examiner: OUELLETTE, Jonathan P.

Filed: March 5, 2002

Group: 3629

Title: INTELLIGENT CLUSTERING SYSTEM Confirmation No.: 9613

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Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**November 30, 2005**

Dear Sirs:

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 30, 2005.

Signed: \_\_\_\_\_

Kang S. Lim

**INFORMATION DISCLOSURE STATEMENT FILED**

**UNDER 37 C.F.R. §§ 1.56 AND 1.97(b)**

Pursuant to 37 C.F.R. § 1.56, Applicants bring the following documents to the Examiner's attention in the referenced application.

Citation of the above documents shall not be construed as an admission that the documents are necessarily prior art with respect to the referenced application. Furthermore, citation of the above documents shall not be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

X 37 C.F.R. § 1.97(b). This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits or, (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement.

\_\_\_ 37 C.F.R. § 1.97(c). This Information Disclosure Statement is filed after the period specified in C.F.R. § 1.97(b), but is believed to be filed before the mailing date of either (i) a final action under § 1.113 or, (ii) a notice of allowance under § 1.311.

\_\_\_ A certification pursuant to 37 C.F.R. §1.97(e) or

\_\_\_ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

If the Examiner has any questions or comments with respect to the present application, the Examiner is respectfully invited to telephone the undersigned at (925) 570 8198. The Commissioner is authorized to charge any additional fees that may be due or credit any overpayment to our Deposit Account No. 50-2766 (Order No. DEM1P010).

**LAW OFFICES OF KANG S. LIM**  
PMB 436  
3494 Camino Tassajara Road  
Danville, CA 94506  
Voice: (925) 570 8198  
Facsimile: (925) 736 3974

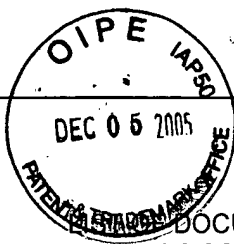
Respectfully submitted,



Kang S. Lim  
Attorney for Applicant(s)  
Reg. No. 37,491

**CUSTOMER NO. 36088**

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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
DEM1P010

SERIAL NO.  
10/092,361

DOCUMENTS CITED BY APPLICANT  
TO COMPLY WITH 37 C.F.R. 1.56

APPLICANT

DELURGIO

FILING DATE  
03/05/02

GROUP  
3629

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,546,387	04/08/03	Triggs			
	AB	2002/0123930	09/05/02	Boyd et al.			
	AC	6,405,175	06/11/02	Ng			
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	AE	2002/0023001	02/21/02	McFarlin et al.			
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	AG	5,212,791	05/18/93	Damian et al.			
	AH	4,744,026	05/10/88	Vanderbei			
	AI	3,017,610	01/16/62	Auerbach et al.			

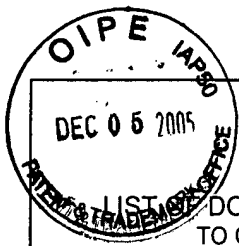
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	BA	"KhiMetrics Helps Retailers Increase Margins With Two New Tools for Their Retail Revenue Management Application Suite." PR Newswire, March 1, 2001.					
	BB	"KhiMetrics and Retek Form Marketing Alliance for Comprehensive Retail Pricing Solution." PR Newswire, February 19, 2001.					
	BC	Barth, Brad, "ShopKo Holds the Price Line." Daily News Record, page 10, October 4, 2000					
	BD	Barth, Brad, "Shopko Tests Automated Markdowns", WWD 10/04/00, pages 1-3.					
	BE	"Manugistics Agrees to Acquire Talus Solutions." PR Newswire, September 21, 2000.					
	BF	"Goodyear Implements Trilogy's MultiChannel Pricing Solution as Its Enterprise-Wide E-Pricer Platform." Business Wire, page 2286, June 27, 2000.					
	BG	"IMRglobal Signs New Product Implementation Agreement with Retek to Improve Retail Pricing and Markdown Process." Business Wire, page 1590, June 7, 2000.					

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56	ATTY. DOCKET NO. DEM1P010	SERIAL NO. 10/092,361
	APPLICANT DELURGIO	
	FILING DATE 03/05/02	GROUP 3629

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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BI	"New Tools for Modeling Elasticity, Optimizing Prices and Collecting Live Pricing from the Web to Debut at Retail Systems 2000 in Chicago." Business Wire, page 1484, April 18, 2000.
BJ	"Essentus and Spotlight Solutions Partnership Delivers Precise Markdown Decisions", Business Wire, 04/17/00, 3 pages.
BK	Melcer, Rachel, "Local Tech Firm Creates Retail Markdown Tool", Business Courier online, 03/24/00, pages 1-4.
BL	Technology Strategy Incorporated, <a href="http://www.grossprofit.com">www.grossprofit.com</a> , 03/02/00, pages 1-20.
BM	Kadiyali et al., "Manufacturer-retailer Channel Interactions and Implications for Channel Power: An Investigation of Pricing in Local Market", Marketing Science, Spring 2000, V. 19, Issue 2.
BN	Andrew B. Gelman et al., "Bayesian Data Analysis", pgs. 439-455, Chapman & Hall/CRC, First Edition 1995, Reprinted 2000.
BO	Smith et al., "A Discrete Optimization Model for Seasonal Merchandise Planning." Journal of Retailing, vol. 74, no. 2, page 193(29), Summer 1998.
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BQ	Little, John D. C., "Brandaid: A Marketing-Mix Model, Part 1: Structure," Operations Research, Vol. 23, No. 4, July-August 1975 (p. 628-655).
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BS	Flanagan, David, "Javascript: The Definitive Guide, 3 <sup>rd</sup> Edition," published by O'Reilly in June 1998 (ISBN 1-56592-392-8) section 14.8.
BT	Berners-Lee, T., "Hypertext Markup Language 2.0 Working Paper," Nov 1995 (pages 1-3).
BU	Tellis, Gerard J., and Fred S. Zufryden, "Tackling the Retailer Decision Maze: Which Brands to Discount, How Much, When and Why," Marketing Science, Vol. 1, No. 34, 1995 (pages 271-299).

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